



2828\$

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Chikaho IKEDA

Group Art Unit: 2828

Application No.: 10/090,146

Examiner: D. Flores-Ruiz

Filed: March 5, 2002

Docket No.: 112116

For: APPARATUS FOR DRIVING LIGHT EMITTING ELEMENT AND SYSTEM FOR
DRIVING LIGHT EMITTING ELEMENT

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the February 25, 2005 Election of Species Requirement, Applicant provisionally elects Species I, Figure 8, with traverse. At least claims 1, 2, 4-8, 10, 14 and 30-33 read on the elected species. No claims are generic.

It is also respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid

unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Mark R. Woodall
Registration No. 43,286

JAO:MRW/sqb

Date: April 25, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
